



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

February 4, 2025

TO: The Honorable Luke Clippinger
Chair, Judiciary Committee

FROM: Marc Elrich
County Executive

RE: House Bill 302 - Courts and Judicial Proceedings - Statement of Charges - Human Service Workers

Currently in State law, when an application filed in the District Court requests that a statement of criminal charges be filed against a law enforcement officer, emergency services personnel, or an educator for an offense allegedly committed in the course of executing their duties, the application is immediately forwarded to the State's Attorney. Upon receipt, the State's Attorney investigates the circumstances of the matter and makes a recommendation to the District Court Commissioner as to whether a statement of charges should be filed.¹ This additional level of review by the State's Attorney ensures that the application for charges is proper and is based on conduct that warrants criminal charges; HB 302 adds child welfare caseworkers and adult protective services workers to the occupations covered under §2-608, as these professionals interact with the public in potentially sensitive circumstances that are at times similar to or related to the work performed by law enforcement officers, emergency services personnel, and educators.

I support House Bill 302 because it would offer increased protections to Montgomery County employees who work every day to protect some of our most vulnerable residents. In this line of work, our employees often interact with residents in sensitive circumstances and in intimate spaces such as their homes. While the vast majority of these interactions are productive and lead to better outcomes for our residents, there have been occasions when our employees have faced potentially negative legal actions simply as retaliation for doing their jobs. These circumstances are damaging for the employees directly affected by the erroneous charges as well as for the morale of the department as a whole.

House Bill 302 would add an additional level of review of a statement of charges against child welfare caseworkers and adult protective services workers to ensure that these employees are not being unjustly targeted for doing their important work. If the charges are warranted after review by the State's Attorney, House Bill 302 does not change anything thereafter. Because the bill will help ensure that justice is carried out only in appropriate circumstances, I respectfully urge the committee to issue a favorable report.

¹ Courts and Judicial Proceedings Article §2-608.